

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ASTELLAS US HOLDING, INC., and  
ASTELLAS PHARMA US, INC.

Plaintiffs,

V.

STARR INDEMNITY AND LIABILITY  
COMPANY, BEAZLEY INSURANCE  
COMPANY, INC., and FEDERAL  
INSURANCE COMPANY,

Defendants.

Case No.: 1:17-cv-08220

Honorable Manish S. Shah

**JOINT MOTION TO DISMISS ALL CLAIMS BETWEEN  
PLAINTIFFS AND BEAZLEY INSURANCE COMPANY, INC.**

Astellas US Holding, Inc. and Astellas Pharma US, Inc. (together, “Astellas”) and Beazley Insurance Company, Inc. (“Beazley”), through their undersigned counsel, hereby move this Court pursuant to Fed. R. Civ. P. 41(a)(2) to dismiss with prejudice all claims between and among them. In support thereof, the parties state as follows:

1. On January 29, 2020, Astellas and Beazley entered into a Settlement Agreement and Release (the “Agreement”).
2. There are no unfulfilled settlement obligations under the Agreement.
3. The parties respectfully ask this Court to dismiss, with prejudice, all claims between them. This includes Astellas’s breach of contract claim against Beazley as set out in the Second Amended Complaint (Doc. No. 77).
4. Each party agrees to bear its own attorneys’ fees and costs.
5. The parties are not seeking to have the Court retain jurisdiction over any future obligations owed under the Agreement (if any).

6. Allowing this dismissal will not cause the remaining defendant to suffer any legal prejudice.

WHEREFORE, the parties respectfully request that this Court dismiss with prejudice all claims between and among Astellas and Beazley pursuant to Fed. R. Civ. P. 41(a)(2), and direct that all parties shall bear its own fees and costs.

Dated: February 27, 2020

/s/ Jeremy P. Cole

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*Counsel for Plaintiffs Astellas US Holding,  
Inc. and Astellas Pharma US, Inc.*

Respectfully submitted,

/s/ James K. Thurston

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*Counsel for Beazley Insurance Company, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 27, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification to all counsel of record.

/s/ Melissa Saldana

Melissa Saldana